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Docket No.: 1293.1115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung-geun LEE et al.

Serial No. 09/556,620

Group Art Unit: 2754

Confirmation No. 6772

Filed: April 21, 2000

Examiner: Bach Q. Vuong

For: OPTICAL RECORDING MEDIUM ON WHICH DATA MAY BE STORED SEAMLESSLY
AND METHOD FOR PROCESSING DEFECTIVE AREA WITHIN THE MEDIUM

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

APR 14 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Sir:

This is responsive to the Office Action mailed March 11, 2003, having a shortened period for response set to expire on April 11, 2003, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect **Group I, claims 1-21, 26-34** in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants Traverse the Requirement

Insofar as Group II is concerned, it is believed that claims 23-25, and 35 are so closely related to elected claims 1-21, and 26-34 that they should remain in the same application to preserve unity of the invention and to avoid any possibility of a double patenting issue arising at some later date. The elected claims 1-21, and 26-34 are directed to the recording of defective area data pattern in the defective area for seamless recording and claims 23-25, and 35 are drawn to power directed to power control. There have been no references cited to show any necessity for requiring restriction and, in fact, it is believed that the Examiner would find references containing both method and product claims in the same field of technology. While it is noted that the Examiner has identified different classifications for the product and method